

14230 U.S. PTO
031204

22386 U.S. PTO
10/800185
031204

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. Rev 94-18 div 8

Most Immediate Prior application: 10/353,222

Examiner: Jones

Art Unit: 1619

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

FILING OF CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)(1)

EXPRESS MAIL CERTIFICATE

Express Mail label number: ET 735915269US

Date of Deposit: 3/12/04

I hereby state that the following attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Daisy Acevedo
Daisy Acevedo

This is a request for filing a

☒ Continuation

☐ Divisional

application under 37 CFR 1.53(b), of pending prior application

serial no. 10/353,222, filed January 28, 2003; which is a continuation of serial no. 10/178,993, filed June 25, 2002 (now U.S. Patent 6,562,322); which is a continuation of 09/334,844, filed June 16, 1999 (now U.S. Patent No. 6,464,964); which is a continuation of serial no. 08/933,807, filed September 19, 1997 (now U.S. Patent No. 5,965,112); which is a divisional of serial no. 08/599,400 filed January 5, 1996 (now U.S. Patent No. 5,800,816); which is a continuation of serial no. 08/328,992, filed October 25, 1994, now abandoned.

(date)

of Hernando Brieva, Julio Gans Russ, and Ida Marie Sandewicz.

(inventor)(s)

for: **COSMETIC COMPOSITIONS**

(title of invention)

1. Copy of Prior Application as Filed Which is Attached

☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed.

The copy of the papers of prior application as filed which are attached are as follows:

☒ 17 page(s) of specification

☒ 4 page(s) of claims

☒ 1 page(s) of abstract

☐ 0 sheet(s) of drawing

☒ 2 pages of declaration and power of attorney

☒ my records reflect that the original
signed declaration showing applicant's signature
was filed on **December 15, 1994**.

☐ the amendment referred to in the declaration filed to complete the prior application's
signature was filed on _____.

2. Amendments

☒ Cancel in this application original claims 1-19 of the prior application before calculating the
filing fee.

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly
numbered consecutively beginning with the number next following the highest
numbered **original** claim in the prior application.)

3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment.

☐ There is provided herewith a Petition To Suspend Prosecution For The Time Necessary to
File An Amendment (New Application Filed Concurrently).

4. Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED				
Number filed		Number Extra	Rate	Basic Fee
				<u>770.00</u>
Total				
Claims	35	20 -20 = 0	X	\$22.00
				<u>0</u>
Independent				
Claims (37 CFR 1.16(b))		2 -3 = 0	X	\$84.00
				<u>0</u>
Multiple dependent claim(s), if any				

(37 CFR 1.16(d) 0 X

Total Filing Fee

\$ 770.00

☐ Fee for extra claims is not being paid at this time

(37 CFR 1.16(d))

5. Small Entity Status

☐ A verified statement that this filing is by a small entity:

☐ is attached

☐ has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a))

Filing Fee Calculation (50% of above) \$

6. Drawings

WARNING: Do not check the following box if prior case is not to be abandoned.

☐ Transfer the drawings from the prior application to this application and, subject to item 17 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

☐ Transfer the following sheet(s) of drawing from the prior application to this application

☐ A copy of the amendment cancelling these sheets of drawing in the prior application is attached

☐ New drawings are enclosed

☐ formal

☐ informal

7. Priority – 35 U.S.C. 119

☐ Priority of application serial no. _____ filed

on _____ in _____ is

claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S.

application serial no. 0 /

on _____.

☐ The certified copy will follow.

8. Related Back – 35 U.S.C. 120

☒ Amend the specification by inserting before the first

line the sentence:

"This is a

☒ continuation

☐ divisional

of copending application(s)

☒ serial no. 10/353,222, filed January 28, 2003; which is a continuation of serial no. 10/178,993, filed June 25, 2002 (now U.S. Patent 6,562,322); which is a continuation of 09/334,844, filed June 16, 1999 (now U.S. Patent No. 6,464,964); which is a continuation of serial no. 08/933,807, filed September 19, 1997 (now U.S. Patent No. 5,965,112); which is a divisional of serial no. 08/599,400 filed January 5, 1996 (now U.S. Patent No. 5,800,816); which is a continuation of serial no. 08/328,992, filed October 25, 1994, now abandoned.

☐ International Application _____ filed

on _____ and which designated the U.S.

9. Inventorship Statement

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is (are):

(complete applicable item below)

☒ the same

☐ less than those named in the prior application and

it is requested that the following inventor(s) in

this application is (are):

(b) The inventorship for all the claims in this application are

☐ the same

☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

10. Assignment

☒ The prior application is assigned of record to

Revlon Consumer Products Corporation,

237 Park Avenue

New York, NY 10017

☐ an assignment of the invention to
is attached

11. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is submitted. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently).

☒ Enclosed

☒ basic filing fee \$ 770.00

☐ recording assignment
(\$8.00; 37 CFR 1.21(h)) \$

☐ processing and retention fee
(\$120.00; 37 CFR 1.53(d) and 1.21(l)) \$

Total fees enclosed \$ 770.00

12. Method of Payment of Fees

☐ enclosed is a check in the amount of \$

☒ charge Account No. 18-1065 in the amount of

\$ 770.00

A duplicate of this request is attached.

13. Authorization To Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 18-1065.

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b)).

14. Power of Attorney

a. ☒ The power of attorney appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☐ A new power has been executed and is attached.

d. ☒ Address all future communications to

Julie Blackburn, Esq. -

Revlon Consumer Products Corporation, Law Dept.

237 Park Avenue,

New York, N.Y. 10017 (Reg. No. 32,370)

15. Maintenance of Copendency of Prior Application

☐ A petition, fee and response has been filed to extend the term in the pending prior

☐ A copy of the petition for extension of time in the prior application is attached.

16. Conditional Petition for Extension of Time in Prior

Application

☐ a conditional petition for extension of time is being filed in the pending parent application.

☐ a copy of the conditional petition for extension of time in the prior application is attached.

Julie Blackburn Reg. No. 32370

Type or print name of person signing

3/12/04

Date

Signature



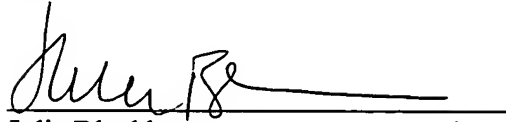
Revlon Consumer Products Corporation,
237 Park Avenue
New York, NY 10017
(212) 527-5531

☒ Person authorized to sign on behalf of assignee

☒ Attorney or agent of record

☐ Filed under Rule 34(a)

Respectfully Submitted,



Julie Blackburn

Reg. No. 32370

Revlon Consumer Products

Corporation

237 Park Avenue

New York, New York 10017

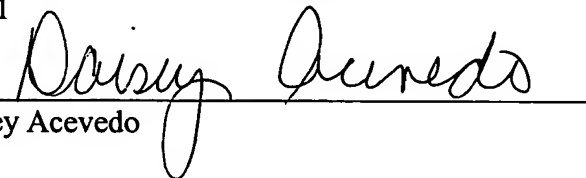
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Daisey Acevedo